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BANK OF AMERICA, N.A.
7

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
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11 BANK OF AMERICA, N.A., a national
banking association,

12 Petitioner,
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14 vs.

15 MICHELETTI FAMILY PARTNERSHIP,
a California Limited Partnership, ARTHUR
MICHELETTI, an individual, and JANICE
16 MICHELETTI, an individual,

17 Respondents.
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CASE NO. CV 08-2902 JSW

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE

19 WHEREAS, Bank of America, N.A (“Bank of America”), has filed this Petition To
20 Compel Arbitration against the Micheletti Family Partnership, Arthur Micheletti, and Janice
21 Micheletti;

22 WHEREAS, the Court has scheduled an initial Case Management Conference for
23 September 19, 2008;

24 WHEREAS, Bank of America’s Motion to Compel Arbitration, and defendants’ Motion
25 to Dismiss, are both scheduled to be heard by the Court on October 17, 2008;

26 WHEREAS, Bank of America, the Micheletti Family Partnership, Arthur Micheletti, and
27 Janice Micheletti (collectively, “the Parties”) recognize that it will serve the interests of judicial
28 economy to continue the Case Management Conference to October 17, 2008, the same date as the

BN 2256961v2

1 hearing on the aforementioned motions;

2 NOW, THERFORE, the Parties do hereby agree and stipulate to continue the initial Case
3 Management Conference from Friday, September 19, 2008, to Friday, October 17, 2008, at 9:00
4 a.m.

5 DATED: September 15, 2008

BUCHALTER NEMER
A Professional Corporation

8 By: Richard C. Darwin

RICHARD C. DARWIN
Attorneys for Petitioner
BANK OF AMERICA, N.A.

10 DATED: September 15, 2008

KERR & WAGSTAFFE LLP

12 By: Adrian Sawyer

ADRIAN SAWYER
Attorneys for Respondents
MICHELETTI FAMILY PARTNERSHIP,
ARTHUR MICHELETTI, and JANICE
MICHELETTI

18 **ORDER**

19 Pursuant to the Stipulation set forth above, and good cause appearing, IT IS SO
20 ORDERED.

21 Dated: September 16, 2008

22 DATED: _____

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HON. JEFFREY S. WHITE
Judge of the United States District Court